THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.9970 OF 2007

DATED: 05-06-2007

Between :

Lingam Sai Krishna .. Petitioner

And

1. The Commissioner, Endowments Department, Hyderabad., and 2 others. .. Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.9970 OF 2007

ORDER :

The petitioner who claims to be a devotee of Sri Sangameshwara Swamy filed this writ petition seeking a declaration that the alleged inaction on the part of the respondents in taking action to prevent the misuse of the land belonging to Sri Sangameshwara Swamy Temple of Jagarlamudi Village, Tenali Mandal, Guntur District, in spite of the petitioner's representation dated 17-4-2007 as arbitrary and illegal.

The petitioner states that one Dasari Venkata Ranganayaki had donated small extents of land along with the thatched house situated at D.No.112/3A, Jagarlamudi Village, Tenali Mandal, Guntur District to Sri Sangameshwara Swamy Temple for the specific purpose of construction of a choultry for the benefit of pilgrims. It is alleged that the Chairman of the Trust Board of Sri Sangameshwara Swamy Temple with a mala fide intention had formed an association by name Sri Shirdi Sai Baba Devotees Welfare Organisation and Development Committee and has been taking hectic steps to construct Sai Baba Temple in the land donated for the purpose of construction of choultry. Aggrieved by the same, the petitioner along with some other residents of the village made a representation before the respondents 1 and 2. Alleging that the respondents 1 and 2 failed to consider the representation made by the petitioner, this writ petition is filed.

I have heard the learned Counsel for the petitioner.

Except a copy of the representation said to have been

made by the petitioner, no other material is placed before this Court to show that the land in question belongs to Sri Sangameshwara Swamy Temple. Surprisingly, even the Trust Board of the temple is not made a party to this writ petition. On the basis of the material available on record, it appears that the writ petition is only on account of personal disputes between the petitioner and the Chairman of the Trust Board and absolutely no case is made out to show that the respondents 1 and 2 had acted in breach of any statutory obligation. Since no case is made out to show that the matter involves enforcement of any legal right or statutory obligation, the Writ of Mandamus as prayed for cannot be granted. However, this shall not preclude the petitioner to work out the appropriate common law remedy if so advised.

With the above observation, the Writ Petition is disposed of. No costs.

_____

G. ROHINI, J.

Dt. 05-06-2007

gbs